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EXAMINER	
LI, GUANG W	

ART UNIT	PAPER NUMBER
2446	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/043,918	PENDAKUR, RAMESH	
	Examiner	Art Unit	
	GUANG LI	2446	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 November 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5,16 and 19-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,16 and 19-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 January 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *11/04/2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amendment date 11/04/2008

2. Claims 1-3, 5, 16 and 19-27 are presented for examination.

3. The rejections are respectfully maintained and reproduced infra for applicant's convenience.

Response to Arguments

4. Applicant's arguments filed 11/04/2008 have been fully considered but they are not persuasive.

5. Applicant argues the following limitation(s):

- Applicant argues, stated in the remark on page 10, "For example, neither Bookman nor Connelly teaches or reasonably suggests "allocating the bandwidth according to the rating survey" as recited by claim 1. The examiner acknowledges that Bookman does not teach or reasonably suggest the feature, but relies on Connelly and points out data streams 233 and 235 for support (see page 8, Office Action, mailed 09-02-08). Applicants respectfully disagree. Connelly's data streams 233 and 235 have nothing to do with and are not the same as "allocating the bandwidth according to the rating survey" as recited by claim 1". On the contrary, Connelly teaches there is an unused portion (spectrum) of bandwidth for each of data streams 233 and 235, and an even larger unused portion for combined stream 239. This is due to the fact that when content is streamed using variable bit rate MPEG2 encoding (or other types of variable bit rate encoding), the amount of data corresponding to different portions of the content varies over time (Connelly: col.28 lines 1-43; col.29 lines 49-67; Fig.20 block 233, 235, 239, 245).

Connelly clearly teaches optimize bandwidth usage for high rating/priority program based on user feedback. Optimized bandwidth based on the feedback is clearly teaches allocating the bandwidth according to the rating survey.

- Applicant argues, stated in the remark on page 11, "Like Bookman, Connelly does not teach or reasonably suggest matching the content and the subscription information to form an aggregate content bit for the plurality of network nodes; creating a rating survey via the subscription information, the rating survey to maximize allocation of bandwidth, the rating survey including user data, the user data including one or more of user interest level relating to the content, user timing preference relating to one or more of receiving of the content and consuming of the content, and observational profile information including one or more of automated observation and user-contributed observation as recited by claim 1." On the contrary, Bookman teaches there is a one-to-many relationship developed between matching terms and content associated with matching terms (See Bookman: ¶[0037]). Bookman clearly teaches there is one to many relationship developed between the matching terms and content associated with matching terms for identified in a way to allow automated identification of the dictionary to which it belongs. In the previous office action, stated that Bookman fails to teach creating a rating survey via the subscription information. However, Connelly make up of deficiencies of Bookman. Connelly teaches generate demand feedback (rating survey) data for the user subscribed content (Subscription information) (Connelly: Fig.3 block 308); optimized the bandwidth allocation (maximize allocation of bandwidth) for the program (Connelly: Fig.19-21); user feedback (user interest level) that include relevance and believability (Connelly: Fig. 6-13); For instance, assume an example where Thursday evenings during primetime (user time

preference) is the most important time for a broadcaster to have the highest ratings for broadcast (Connelly: col.11 lines 2-19) and This feedback demand data may comprises manual ratings, manual rankings, automatically generated ratings, or a combination of these feedback demand (automate feedback and manual user feedback) attribute values. For example, in one embodiment the client demand feedback data only includes user-generated ratings and/or rankings, wherein there is no feedback data for pieces of content that have not been rated and/or ranked by a user of a client system (see Connelly: col.2 lines 54-67). In addition, the phrase "the user data including one or more of …" in claim 1 line 10, it not requires to meet all of three limitations. In the claim language, only need to meet one of three limitations to teach "one or more of X, Y and Z". In the board of interpretation, one or more of X is teaches the limitation of one or more of X, Y and Z. For all the reasons above, applicant arguments are persuasive.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1-3, 5, 16 and 19-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bookman (US 2003/0050929 A1) in view of Connelly (US 7,020,893).

7. Regarding claim 1, Bookman teaches a method comprising:

receiving content from one or more content sources (Submitted Content 150 and Website Data In 700"This module 1130 is a workflow and editing application that enables editing of content within the Term Database, administration of dictionaries, and management of a virtual team of content submitters 150 to build dictionary content" see Bookman: ¶[0120]; Fig.1 Block 150; Fig.7 block 700);

distributing a metadata dictionary to a plurality of network nodes, wherein the metadata dictionary comprises content descriptors (Richlink content settings "RichLink Dictionary Content settings include the dictionaries to be used for linking in that layer" see Bookman: ¶[0091]; ¶[0106];¶[0113]);

receiving subscription information from the plurality of network nodes (exchange information between the database and AR/AP information "This interface 320 handles the exchange of information between the customer database 220 and AP and AR information" see Bookman: ¶[0043]);

matching the content and the subscription information to form an aggregate content bit for the plurality of network nodes (matching terms and content associated with matching terms for identified in a way to allow automated identification of the dictionary to which it belongs "There is a one-to-many relationship developed between matching terms and content associated with matching terms" see Bookman: ¶[0037]);

generating an aggregated content stream based on the allocated bandwidth, wherein the aggregated content stream comprises aggregated content (term of interest are filtering using a set of rules "This module 240 is a library that contains all terms and associated content that can be sorted and queried, using business criteria to organize into dictionaries of similar information" and "Examples of types of term rules are, product names and company names. An example of a term used in an unusual manner is a verb used as a proper noun. As terms are chosen, a list is created containing terms of interest as well as the rules that led to their selection. The pages and sites on which the terms occur are noted and categorized" see Bookman: ¶[0037] ¶[0077]; ¶[0079]; ¶[0093]); and

distributing the aggregated content stream to a plurality of filtering network nodes, wherein the aggregated content stream is filtered via filtering hubs located at the plurality of filtering network nodes (distributing file to different categories with set of rule "Files matching the specified types are parsed 710 using natural language processing to tokenize the text into significant objects such as words and phrases until a full index of all words and phrases on the site is created" see Bookman: ¶[0076-0077]; Fig.7 block 710; "Categorizer").

Bookman does not explicitly disclose creating a rating survey via the subscription information, the rating survey to maximize allocation of bandwidth, the rating survey including user data, the user data including one or more of user interest level relating to the content, user timing preference relating to receiving of the content and consuming of the content, and observational profile information including automated observation or user-contributed observation; and allocating the bandwidth according to the rating survey.

Connelly teaches creating a rating survey via the subscription information (generate demand feedback data for the user subscribed content see Connelly: Fig.3 block 308), the rating survey to maximize allocation of bandwidth (optimized the bandwidth allocation for the program see Connelly: Fig.19-21), the rating survey including user data, the user data including one or more of user interest level relating to the content (user feedback that include relevance and believability see Connelly: Fig. 6-13), user timing preference relating to receiving of the content and consuming of the content (Primetime for receiving the content "For instance, assume an example where Thursday evenings during primetime is the most important time for a broadcaster to have the highest ratings for broadcast see" see Connelly: col.11 lines 2-19), and observational profile information including automated observation and user-contributed observation (automate

feedback and manual user feedback "This feedback demand data may comprises manual ratings, manual rankings, automatically generated ratings, or a combination of these feedback demand attribute values. For example, in one embodiment the client demand feedback data only includes user-generated ratings and/or rankings, wherein there is no feedback data for pieces of content that have not been rated and/or ranked by a user of a client system" see Connelly: col.2 lines 54-67); and allocating the bandwidth according to the rating survey (optimize bandwidth usage for high rating/priority program based on user feedback "there is an unused portion (spectrum) of bandwidth for each of data streams 233 and 235, and an even larger unused portion for combined stream 239. This is due to the fact that when content is streamed using variable bit rate MPEG2 encoding (or other types of variable bit rate encoding), the amount of data corresponding to different portions of the content varies over time" see Connelly: col.28 lines 1-43; col.29 lines 49-67; Fig.20 block 233, 235, 239, 245). Connelly further teaches matching the content and the subscription information to form an aggregate content bit for the plurality of network nodes (matching content with the set of met-data for the user "Typically, broadcast schedule queue 133 will comprise an ordered list of content identifiers corresponding to the pieced of content for the current set of meta-data, wherein the content identifiers are ordered from top to bottom list based on the relative demand for their corresponding piece of content, which is determined by aggregating the client demand feedback data provided by the client systems" see Connelly: col.25 lines 17-25).

It would have been obvious to one of ordinary skill in the art, having the teachings of Bookman through Connelly before them at the time the invention was made to modify the content delivery system of Bookman to includes(or to use, etc) creating a rating survey via the

subscription information, the rating survey to maximize allocation of bandwidth, the rating survey including user data, the user data including one or more of user interest level relating to the content, user timing preference relating to receiving of the content and consuming of the content, and observational profile information including automated observation and user-contributed observation; and allocating the bandwidth according to the rating survey as taught by Connelly.

One of ordinary skill in the art would have been motivated to make this modification in order to provide an efficient and effective way to distribute contents over to network nodes in view of Connelly.

8. Regarding claim 2, Bookman together with Connelly taught the method of content delivery according to claim 1, as described above. Bookman further comprising: generating a plurality of user profiles comprising the subscription information; associating the content descriptors with the plurality of user profiles; saving the user profiles; generating a plurality of personalized content streams based on the plurality of user profiles by dividing the aggregated content stream into the plurality of personalized content streams; and providing the plurality of personalized content streams to the plurality of receiving network nodes (user profiles "A user of the system has a home page portal which links them to parts of the system and provides access to personalized content such as news, products and service announcements and promotional items. The homepage includes features such as focused page content, based on the user's profile and preferences." see Bookman: ¶[0047]).

9. Regarding claim 3, Bookman together with Connelly taught the method of content delivery according to claim 1, as described above. Bookman further teaches wherein the

generating the plurality of personalized content streams comprises filtering the aggregated content stream by comparing the aggregated content stream with the plurality of user profiles (user profiles that includes personalized content "A user of the system has a home page portal which links them to parts of the system and provides access to personalized content such as news, products and service announcements and promotional items. The homepage includes features such as focused page content, based on the user's profile and preferences." see Bookman: ¶[0047]).

10. Regarding claim 5, Bookman together with Connelly taught the method of content delivery according to claim 1, as described above. Bookman further comprising providing the plurality of personalized content streams to the plurality of corresponding users (user profiles for the corresponding user based on user profile and preferences "A user of the system has a home page portal which links them to parts of the system and provides access to personalized content such as news, products and service announcements and promotional items. The homepage includes features such as focused page content, based on the user's profile and preferences." see Bookman: ¶[0047]).

11. Regarding claim 16, claim 16 is rejected as the same reason as claim 1 as set forth hereinabove. Regarding claim 1, Bookman together with Connelly taught the claimed method, therefore together, they teach the claimed system with processor and storage medium (Richlink processor and Richlink Term Database see Bookman: Fig.1 block 160; Fig.7).

12. Regarding claim 19, Bookman together with Connelly taught the method of content delivery according to claim 16, as described above. Bookman further teaches wherein the content distributor computer system comprises one or more of broadcasting networks, local

broadcasters, cable providers and operators, satellite service provider, and other content providers (E-commerce 450 for online sale see Bookman: ¶[0056-0057]).

13. Regarding claim 20, Bookman together with Connelly taught the method of content delivery according to claim 16, as described above. Connelly further teaches wherein the plurality of filtering hubs comprises one or more of head-ends, local broadcasters, local satellite stations, and filtering stations (television receiver, cable boxes and client computer "who typically receive the broadcast data using television receivers, cable boxes, set-top boxes, or client computers. For the purposes used herein, the broadcasting source will be referred to as a "server system," or "broadcast server" and the broadcast consumers (i.e., users) are referred to as "clients" who receive content via "client systems" see Connelly: col.1 lines 19-35).

14. Regarding claim 21, Bookman together with Connelly taught the method of content delivery according to claim 16, as described above. Bookman further teaches further comprising a plurality of receivers, the plurality of receivers comprising multimedia devices, wherein the multimedia devices comprise one or more of a content providing sub-system and a content receiving sub-system (data parsing into different kind of categories using categorizer and organized by content manager and distribute to user see Bookman: Fig.7).

15. Regarding claim 22, Bookman together with Connelly taught the method of content delivery according to claim 21, as described above. Bookman further teaches wherein the content providing sub-system comprises content display computer system (RichLink content window see Bookman: Fig.7 block 170).

16. Regarding claim 23, Bookman together with Connelly taught the method of content delivery according to claim 16, as described above. Bookman further teaches wherein the

plurality of filtering hubs and the plurality of receivers are integrated one or more of logically and physically (parser and categorizer are logically implementing in the network module see Bookman: Fig.7 Block 710-760).

17. Regarding claim 24, claim 24 is rejected as the same reason as claim 1 as set forth hereinabove. Regarding claim 1, Bookman together with Connelly taught the claimed method, therefore together, they teach the claimed machine-readable storage medium.

18. Regarding claim 25, claim 25 is rejected as the same reason as claim 2 as set forth hereinabove.

19. Regarding claim 26, claim 26 is rejected as the same reason as claim 3 as set forth hereinabove.

20. Regarding claim 27, claim 27 is rejected as the same reason as claim 5 as set forth hereinabove.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guang Li whose telephone number is (571) 270-1897. The examiner can normally be reached on Monday-Friday 8:30AM-5:00PM(EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 21, 2009
GL
Patent Examiner

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit

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